IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7924 OF 2004

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1.Narottam H. Parmar,

2.Mrs.Nita Prakash Jethva ...Petitioners

v/s.

Mr.Prakash Babubhai Jethva ...Respondent

...

Mr.R.T. Parekh for the Petitioners.

Ms.Suvarna Telgota for Respondent.

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CORAM: D.K.DESHMUKH, J.

DATED: 13TH APRIL,2005

P.C.:

The order impugned in this petition is an interim order regarding custody of the child. Mother has been directed to hand over custody of the child to the father on the finding of fact that the mother is not living with the child. I do not find any material placed on record by the Petitioners, which will conclusively establish that the finding of fact recorded by the Family Court is erroneous. This writ petition is filed under Article 227 of the Constitution of India, where the dispute of fact cannot be gone into. Petition, therefore, cannot be entertained. It is disposed of.

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